

UNITED STATES BANKRUPTCY COURT
Western District of Michigan

In re: Michael James Miller
 Laurie Ann Miller

Debtors.

Case No. 17-05256
 Chapter 13
 Hon. Scott W. Dales
 Filed: 14 Nov 2017

**SECOND PRE-CONFIRMATION AMENDMENT
 TO CHAPTER 13 PLAN**

II. FUNDING

A. PLAN PAYMENT The Debtor(s) shall make payments in the amount of \$ 1,436.00 per ☐ week, ☐ bi-weekly, ☐ semi-monthly, ☒ monthly, and/or ☒ Other (see Additional Plan Payment Provisions) for the minimum of the ACP.

☒ Additional Plan Payment Provisions: \$1,436.00 Monthly for 38 months, then \$1,956.00 Monthly, eff. 2/1/2021, due to maturity of 401(k) loan.

III. DISBURSEMENTS

C. SECURED CLAIMS.

1. Real Property:

a. Mortgage Payments: Unless otherwise stated, the Trustee shall commence paying the first post-petition mortgage payment on the first day of the month following the month of the petition date.

b. Principal Residence Post-Petition Mortgage Payments and Prepetition Arrears: The following is the street address and the tax ID parcel no. for the principal residence of the Debtor(s):

Property No. 13116 Airport Road DeWitt, MI 48820-9223 Clinton County; Tax ID: 19-150-290-000-026-00

Creditor Name	Estimated Monthly Payment Amount ⁱⁱⁱ	Estimated Arrears ^{iv}	Taxes & Insurance Escrowed With Lender? Y/N
Union Home Mortgage	992.30	2,071.03	Y

F. UNSECURED CREDITORS.

General Unsecured Creditors: Claims in this class are paid from funds available after payment to all other classes. The allowed claims of general unsecured creditors will be satisfied by:

☐ Payment of a dividend of 100%, plus present value of _% interest, if necessary to satisfy 11 U.S.C. § 1325(a)(4), OR

☒ Payment of a pro-rata share of a fixed amount of \$5,500.00 or payment from all disposable income to be received by the Debtor(s) in the ACP, whichever pays more. This fixed amount shall be reduced by additional administrative expenses including attorney fees approved under 11 U.S.C. § 330(a). However, this fixed amount shall not be reduced below the liquidation value specified in paragraph I.B.

ⁱⁱⁱ The monthly payment amount is an estimate and the Trustee shall pay the monthly payment amount based on the proof of claim as filed. The Plan authorizes the Trustee to make post-petition regular mortgage or land contract payments prior to the proof of claim being filed. This provision does not preclude any party in interest from filing an objection to the claim.

^{iv} The amount of prepetition arrears is an estimate and the Trustee shall pay the prepetition arrears based on the proof of claim as filed. Any claim filed for prepetition arrears shall be paid through the Plan over a reasonable period of time and pro-rata with other secured creditors without interest.

IV. GENERAL PROVISIONS

R. NONSTANDARD PROVISIONS. Nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in this Model Plan or deviating from it. Nonstandard provisions set out elsewhere in this Plan are ineffective and void. The following Plan provisions will be effective only if there is a check in the box "Included" in the Preamble.

Debtors shall retain the first \$2,400.00 of annual income tax refunds, which have been prorated into Schedule I for irregular expenses.

Debtors expect two bonuses in March, totaling \$3,800 gross. Debtors shall be permitted to retain \$1,000 of the net proceeds and will commit the balance to the plan.

The Trustee shall escrow \$100.00 per month for the first 36 months of plan payments to be reserved for payment of all allowed administrative expenses. Applications for administrative expenses not previously allowed or ordered will be filed at least 30 days before the time of the final audit or the 59th month of the plan whichever comes first in order to be paid from the escrowed funds. Failure to apply for the escrowed funds will result in distribution pursuant to the confirmed plan of escrowed funds on plan completion.

Date: January 25, 2018

Michael J. Miller 1/30/18

Michael James Miller, Debtor

Date: January 25, 2018

Laurie Miller 1/30/18

Laurie Ann Miller, Debtor

Date: January 25, 2018

K. Krol

Kristen L. Krol, Counsel for the Debtor(s)